

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

THIS DOCUMENT RELATES TO:
ALL CONSOLIDATED PRIVATE CLASS
ACTIONS

)
) MDL NO. 1456
)

) CIVIL ACTION: 01-CV-12257-PBS
)

) JUDGE PATTI B. SARIS
)
)

**PFIZER INC.'S OPPOSITION TO
PLAINTIFFS' MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT**

Pfizer Inc. ("Pfizer") hereby joins in Aventis Pharmaceuticals Inc.'s Opposition to Plaintiff's Motion for Leave to File an Amended Complaint (the "Motion for Leave to Amend"). Plaintiffs did not confer with counsel for Pfizer prior to filing their Motion for Leave to Amend. Plaintiffs failed to send to Pfizer the demand letter required by M.G.L. ch. 93A, § 9(3) until July 10, 2006. To the extent that Plaintiffs' Motion for Leave, if allowed, would impact the M.G.L. ch. 93A, § 9 claims against Pfizer, for the reasons set forth in Aventis' Opposition, Plaintiff's motion for Leave to File an Amended Complaint should be denied.

Dated: July 31, 2006

Respectfully Submitted,

s/ Mark D. Smith

Mark D. Smith (BBO #542676)
Laredo & Smith, LLP
15 Broad Street, Suite 600
Boston, MA 02109
617.367.7984 (Tel.)
617.367.6475 (Fax)

John C. Dodds
Erica Smith-Klocek
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103-2921
215.963.5000 (Tel.)
215.963.5001 (Fax)

Scott A. Stempel
J. Clayton Everett, Jr.
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Ave., NW
Washington, DC 20004
202.739.3000 (Tel.)
202.739.3001 (Fax)

CERTIFICATE OF SERVICE

I, Mark D. Smith, hereby certify that on July 31, 2006, I caused a true and correct copy of the foregoing Pfizer Inc.'s Opposition to Plaintiff's Motion for Leave to File and Amended Complaint to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

Dated: July 31, 2006

/s/ Mark D. Smith
Mark D. Smith, Esq.